

TERRENI

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January 16, 2014

The Honorable Jocelyn G. Boyd, Esquire
Chief Clerk and Administrator
South Carolina Public Service Commission
101 Executive Center Drive
Columbia, SC 29210

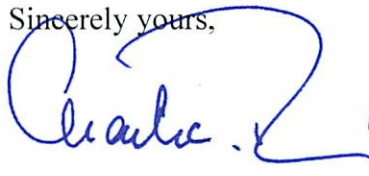
RE: Docket No. 2013-168-WS Petition of the Office of Regulatory Staff to Request An Order Requiring Tega Cay Water Service, Inc. to Provide Adequate and Proper Service.

Dear Ms. Boyd:

I am writing on behalf of Tega Cay Water Service, Inc. ("TCWS" or "the Company") to inform the Commission that the South Carolina Department of Health and Environmental Control has served TCWS with a Notice of Violation ("NOV") in connection with sewer system overflows from its system which occurred on December 23, 2013 and December 29, 2013. A copy of the NOV is enclosed with this letter.

With best wishes, I am,

Sincerely yours,



Charles L.A. Terreni

c: Jeffrey M. Nelson, Esquire
Shannon B. Hudson, Esquire
Mr. Richard J. Durham
Scott Elliott, Esquire



Catherine B. Templeton, Director

Promoting and protecting the health of the public and the environment

January 7, 2014

VIA CERTIFIED MAIL – 91 7108 2133 3938 7370 6746

Mr. Patrick Flynn, Regional Manager
Tega Cay Water Services, Inc.
200 Weathersfield Avenue
Altamonte Springs, FL 32714-4027

Re: **NOTICE OF VIOLATION**
Tega Cay Water Services Inc.
Tega Cay #2 – NPDES Permit SC0026743
Tega Cay #3 & #4 – NPDES Permit SC0026751
York County

Dear Mr. Flynn:

The Bureau of Water received notice of the wastewater discharges (sewer system overflows) from the referenced facilities to waters of the State, which occurred on December 23, 2013 and December 29, 2013, other than in compliance with a permit issued by the South Carolina Department of Health and Environmental Control (Department).

Tega Cay Water Services Inc. is currently under Consent Order 11-004-W, which addresses previous discharges from the referenced facilities and the associated wastewater collection systems (WWCS). The Order requires Tega Cay Water Services, Inc. to implement corrective action as necessary to prevent sewer system overflows.

The continued discharge of wastewater into the environment other than in compliance with a permit issued by the Department, places Tega Cay Water Services Inc. in violation of the Pollution Control Act, S.C. Code Ann. § 48-1-90(A)(1) (2008 and Supp. 2011). These violations subject Tega Cay Water Services Inc. to civil penalties of up to ten thousand dollars (\$10,000.00) per day for each unauthorized discharge, as provided by the Pollution Control Act, S.C. Code 48-1-330(2008).

The Department conducted an enforcement conference with Tega Water Services Inc. staff on October 1, 2013, to address sewer system overflows, which have occurred after the issuance of Consent Order 11-004-W. The above-referenced (December 23rd and December 29th) wastewater discharges will be addressed in the proposed consent order resulting from the October 1, 2013, enforcement conference.

Tega Cay Water Services, Inc. is requested to respond within ten (10) of receipt of this notice. The Response should include a summary of corrective actions that have been implemented, or that will be implemented, to prevent future sewer system overflows. Failure to provide a response to include the requested information within ten (10) days may result in further enforcement action to include the assessment of civil penalties, as provided by the Pollution Control Act.

If you have any questions regarding this Notice, please telephone me at (803) 898-4181.

Sincerely,

A handwritten signature in dark ink, appearing to read 'P. F. Wise', written over a horizontal line.

Paul F. Wise
Enforcement Officer
Water Pollution Enforcement Section
Bureau of Water

cc: Glenn Trofatter, SC DHEC BOW